

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Bail Appl..No. 1036 of 2007()

C.R.NO.34/06 OF PAYYANNUR EXCISE RANGE

PETITIONER/ACCUSED:

ALEEMA, D/O.LATE ABDULLA,
KOTTILAVALAPIL HOUSE, KAKKARA P.O.,
TALIPARAMBA TALUK.

BY ADV. SRI.VIJU ABRAHAM
SRI.JOY C. PAUL
SRI.BENOY K.KADAVAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTORSRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1036 of 2007

DATED: 21st February, 2007

O R D E R

Petitioner, a lady, who is the accused in C.r. No. 34/06 of Payyannur Excise Range for an offences punishable under Sections 8(1) and 8(2) of the Abkari Act for allegedly having been found in possession of two litres of illicit arrack on 16-08-2006, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner had made good her escape on seeing the Excise party.

3. It is too early to accept the petitioner's contention that she has been falsely implicated in the case. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of

preferably on the same date on which it is filed.

With the above observation this application is dismissed.

V.RAMKUMAR,

JUDGE.

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